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August 30, 2023

VIA ECF

Hon. Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Courtroom 618
New York, NY 10007

MEMO ENDORSED

Re: **Guzman v. 26 Motors Corp. et al.**
Case No. 1:23-cv-00283-KPF

Your Honor,

We write in response to C.K. Lee's second letter filed on August 29, 2023, (Doc. #41), in which, while agreeing to the redaction of reference to Defendants' counsel in his first letter, he repeats the very same arguably defamatory allegation.

Defendants accept Mr. Lee's proposition of redaction in lieu of a hearing but, in light of his second letter, ask that Your Honor order each of the documents in this sequence of correspondence, (Doc. #39-42), be redacted, or perhaps better yet sealed, so as to remove all reference to Mr. Lee's spurious accusation from the record.


To the extent Your Honor proceeds to determine Mr. Lee's application for leave to withdraw without a hearing, Defendants object to his application for a stay of proceedings pending the outcome of his proposed fee arbitration. Certainly Mr. Lee will not be returning to represent Plaintiff following the adjudication of their fee dispute, whatever the outcome, so there is no reason to stay proceedings or otherwise tie the action before this Court to that anticipated arbitration.

In that regard, my client informs me that he and Plaintiff have resolved their differences between themselves, and that Plaintiff requested that Mr. Lee terminate this action but that Mr. Lee refused. Thus, it appears to be in the interests of the parties as well as judicial economy that this Court honor Mr. Lee's request that his "representation be terminated immediately." Doc. #39.

Accordingly, instead of issuing a stay, Defendants request that this Court issue an Order relieving C.K. Lee as Plaintiff's counsel immediately. He will of course be free to pursue the private fee arbitration he apparently contemplates outside the context of this litigation.

Thank you for your consideration.

Respectfully submitted,


Patrick L. Selvey

The Court is in receipt of Plaintiff's Letter re: Request to Suspend All Deadlines Due To Irreconcilable Conflict Between Plaintiff and Counsel (Dkt. #39); Defendants' Letter re: Request for Conference Regarding Allegations by Plaintiff's Counsel (Dkt. #40); Plaintiff's Letter re: Response to Defendants' Letter (Dkt. #41); and Defendants' Letter re: C.K. Lee's Request to Withdraw as Counsel and Redaction of Spurious Accusations (Dkt. #42).

The parties are hereby ORDERED to appear for a conference on **September 6, 2023** at **4:00 p.m.** The conference will proceed via videoconference, and instructions for accessing the videoconference will be provided separately.

Dated: August 31, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE